IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23170 of 2004

Between:

Smt.T.Paramathma, w/o Atchutharao,
r/o D.No.40-26-24, Labbipeta, Vijayawada, Krishna District.

..... PETITIONER

AND

1 The District Collector, East Godavari District at Kakinada.
2 The Revenue Divisional officer, Amalapuram at Amalapuram, East GodavariDistrict.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus by declaring the impugned action of the respondents in not disposing the representation filed by the petitioner as illegal, arbitrary and void abinitio and violative of Article 14, 21 of Constitution of India besides of violative of principles of natural justice and consequently direct the respondents to dispose of the representations by conducting due enquiry.

Counsel for the Petitioner: MR.S.CHALAPATHI RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

O R D E R:

The petitioner is the managing partner of “Sree Lalitha Cinema Theatre”, Amalapuram, along with Smt.D.Ananthalaxmi. According to her, the licence in Form-B is issued in her name by the Joint Collector. She contends that on account of the disputes between herself and her partner, she does not intend to continue the cinema business, and in that view of the matter, she addressed letters dated 5.08.2004 and 9.08.2004, requesting the licensing authority, the first respondent, not to renew the licence. She apprehends that the first respondent may not take into account her representation, while considering the application for renewal of the licence.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

The grant and renewal of licences in Form-B is governed by the provisions of A.P.Cinema (Regulations) Rules, 1970. The nature and extent of *interse* rights and disputes between the petitioner and her partner cannot be adjudicated by this Court in this writ petition. Being a person interested in the theatre, the petitioner had submitted a representation to the licensing authority. The same needs to be taken into account, as and when the existing licence is taken up for renewal.

Hence, the writ petition is disposed of, directing the first respondent to consider the representation said to have been made by the petitioner, as and when he proposes to renew the licence of “Sree Lalitha Cinema Theatre”, Amalapuram. He shall also issue notice to both the partners before taking any action. There shall be no order as to costs.

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16th December, 2004

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To

1 The District Collector, East Godavari District at Kakinada.
2 The Revenue Divisional officer, Amalapuram at Amalapuram, East GodavariDistrict.

3 Two C.Cs to the Government Pleader for Home,

High Court Buildings, Hyderabad (OUT).

4 Two C.D. copies.